

January 1~~8~~<sup>5</sup>, 2016

**By RESS and Courier**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
27th Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli;

**Re: EB-2015-0075 - Horizon Utilities Corporation ("Horizon Utilities") Response to Intervenor Cost Claims**

On August 12, 2015, Horizon Utilities filed its first annual update to its Custom Incentive Rate Application with the Ontario Energy Board ("OEB" or the "Board"), for electricity distribution rates effective January 1, 2016.

The following parties were granted intervenor status in this proceeding by the Board and all but the City of Hamilton were found to be eligible for cost awards:

- Association of Major Power Consumers of Ontario ("AMPCO");
- Building Owners and Managers Association ("BOMA");
- City of Hamilton (the "City");
- Consumers Council of Canada ("CCC");
- Energy Probe ("EP");
- School Energy Coalition ("SEC"); and
- Vulnerable Energy Consumers Coalition ("VECC").

On December 12, 2015, the OEB issued its Decision and Order in this proceeding, which determined the final parameters that should be used to calculate Horizon Utilities' 2016 rates. Horizon Utilities filed a Draft Rate Order that included detailed supporting information showing the calculation of final rates.

On December 22, 2015, the Board issued its Decision and Final Rate Order. The Board ordered eligible Intervenor to file their cost claims within 17 days of the Decision and Final Rate Order. The Board also ordered Horizon Utilities to file any objections to cost claims within 24 days from the date of the Decision and Final Rate Order.

Horizon Utilities has received cost claims from all eligible parties with the exception of VECC ~~and EP~~.

Horizon Utilities has reviewed the cost claims it has received, and offers submissions only with respect to the BOMA cost claim. Horizon Utilities may have submissions with respect to the VECC ~~and EP~~ cost claims, once ~~it they~~ hasve been received.

### **BOMA Cost Claim**

BOMA has claimed a total of \$9,508.95 in fees, inclusive of HST, in this proceeding. This total claim is identical to that of SEC. Together, these are the highest intervenor cost claims received to date in this proceeding. However, the BOMA argument focused on a matter that was no longer relevant to the proceeding, as the request for a deferral account related to monthly billing was withdrawn by Horizon Utilities on November 5, 2015. The withdrawal was confirmed by the OEB in Procedural Order No. 3, issued November 9, 2015. Horizon Utilities observes that almost the entire BOMA argument (five of the seven substantive pages of argument) was dedicated to the above-mentioned deferral account.

Horizon Utilities submits that a reduction in the BOMA cost award is warranted. Specifically, Horizon Utilities suggests that the 10.5 hours claimed in respect of preparation of the BOMA argument be reduced to 3 hours (pertaining to the preparation of the remaining two of the seven substantive pages of argument).

### **Revised BOMA Cost Award**

Horizon Utilities respectfully submits that the BOMA cost award should therefore be set at \$5967.13, plus HST of \$775.73, totaling \$6742.86. This reflects the reduction of preparation time for the BOMA argument from 10.5 hours to 3 hours and includes disbursements.

Should you have any questions or require further information, please do not hesitate to contact me.

Yours truly,

***Original signed by Indy Butany-DeSouza***

Indy J. Butany-DeSouza, MBA  
Vice-President, Regulatory Affairs  
Horizon Utilities Corporation